

10-01-01

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

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J1046 U.S. PTO
10/27/01

A

J1046 U.S. PRO
09/27/01

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 42390P12156
(maximum 12 characters)First Named Inventor Randy P. StanleyTitle: COMMUNICATION OF INFORMATION THROUGH BACKGROUND MODULATION IN AN INFORMATION DISPLAYExpress Mail Label No. EL627465980USADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant Claims Small Entity Status. (37 CFR 1.27)
3. Specification (Total Pages 22)
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawings(s) (35 USC 113) (Total Sheets 8)
5. Oath or Declaration (Total Pages 5)
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 17 completed)
 - i. DELETIONS OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
 - c. Unsigned.
6. Application Data Sheet. (37 CFR 1.76)
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & documents(s))

10. a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
 b. Power of Attorney
 11. English Translation Document (if applicable)
 12. a. Information Disclosure Statement (IDS)/PTO-1449
 b. Copies of IDS Citations
 13. **Preliminary Amendment**
 14. **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
 15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
 16. **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
 17. Other: Copy of return receipt postcard with certificate of mailing and express mail label number

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP)
 Of Prior Application No.: _____ Examiner _____ Group Art Unit _____
 (which is a continuation/ divisional/ CIP of prior application no. _____,
 which is a continuation/ divisional/ CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that _____ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. _____ Frame No. _____ (or a copy of which is attached).

19. Correspondence Address

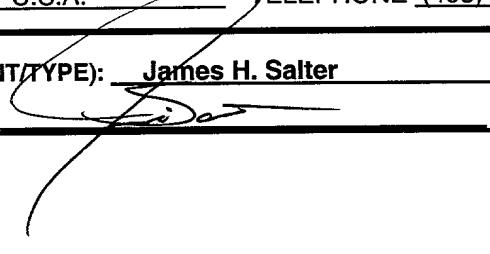
Customer Number or Bar Code Label _____
 or _____ (Insert Customer No. or Attach Bar Code Label here)
 Correspondence Address Below

NAME James H. Salter
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard
Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-9397

Name (PRINT/TYPE): James H. Salter Registration No.: 35,668
 Signature:  Date: 9/27/01

FEE TRANSMITTAL FOR FY 2001TOTAL AMOUNT OF PAYMENT (\$) 1250.00.00 (3 checks)

Complete if Known:

Application No. Not Yet AssignedFiling Date September 27, 2001First Named Inventor Randy P. StanleyGroup Art Unit Not Yet AssignedExaminer Name Not Yet AssignedAttorney Docket No. 42390P12156**METHOD OF PAYMENT** (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number _____

Deposit Account Name 02-2666

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed: Check
 Credit Card
 Money Order
 Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity	Small Entity				
Fee	Fee	Fee	Fee	Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)	Utility application filing fee	<u>710.00</u>
101	710	201	355	Design application filing fee	_____
106	320	206	160	Plant filing fee	_____
107	490	207	245	Reissue filing fee	_____
108	710	208	355	Provisional application filing fee	_____
114	150	214	75		
SUBTOTAL (1) \$					<u>710.00</u>

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	<u>30</u>	<u>- 20** = 10</u>	X <u>18.00</u> = <u>180.00</u>
Independent Claims	<u>7</u>	<u>- 3** = 4</u>	X <u>80.00</u> = <u>320.00</u>
Multiple Dependent			= _____

**Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		
Fee	Fee	Fee	Fee	Fee Description
Code	(\\$)	Code	(\\$)	Claims in excess of 20
103	18	203	9	Independent claims in excess of 3
102	80	202	40	Multiple dependent claim, if not paid
104	270	204	135	**Reissue independent claims over original patent
109	80	209	40	**Reissue claims in excess of 20 and over original patent
110	18	210	9	
SUBTOTAL (2) \$				

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	
Code	(\$)	Code	(\$)
105	130	205	65
127	50	227	25
			Surcharge - late filing fee or oath
			Surcharge - late provisional filing fee
			or cover sheet
139	130	139	130
147	2,520	147	2,520
112	920*	112	920*
			Non-English specification
			For filing a request for ex parte reexamination
			Requesting publication of SIR prior to
			Examiner action
113	1,840*	113	1,840*
			Requesting publication of SIR after
			Examiner action
115	110	215	55
116	390	216	195
117	890	217	445
118	1,390	218	695
128	1,890	228	945
119	310	219	155
120	310	220	155
121	270	221	135
			Notice of Appeal
			Filing a brief in support of an appeal
			Request for oral hearing
138	1,510	138	1,510
140	110	240	55
141	1,240	241	620
142	1,240	242	620
143	440	243	220
144	600	244	300
122	130	122	130
			Petitions to the Commissioner
123	50	123	50
			Processing fee under 37 CFR 1.17(q)
126	180	126	180
581	40	581	40
			Submission of Information Disclosure Stmt
			Recording each patent assignment per
			property (times number of properties)
146	710	246	355
			Petition to institute a public use proceeding
			Petition to revive – unavoidable
			Petition to revive - unintentional
			Utility issue fee (or reissue)
			Design issue fee
			Plant issue fee
			Petitions to the Commissioner
			Processing fee under 37 CFR 1.17(q)
			Submission of Information Disclosure Stmt
			Recording each patent assignment per
			property (times number of properties)
149	710	249	355
			For filing a submission after final rejection
			(see 37 CFR 1.129(a))
			For each additional invention to be examined
			(see 37 CFR 1.129(b))
179	710	279	355
169	900	169	900
			Request for Continued Examination (RCE)
			Request for expedited examination of a design
			application
195	300	195	300
			Publication fee for early, voluntary, or normal
			publication
196	300	196	300
194	130	194	130
098	130	098	130
091	1,240	091	1,240
			Publication fee for republication
			Request for voluntary publication or republication
			Processing fee under 37 CFR 1.17(i)
			Acceptance of unintentionally delayed claim for priority

Other fee (specify) _____

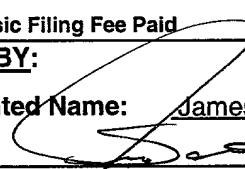
Other fee (specify) _____

SUBTOTAL (3) \$ 40.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: James H. Salter

Signature:  Date: 2/27/01

Reg. Number: 35,668 Telephone Number: (408) 720-8300

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

EXPRESS MAIL CERTIFICATE OF MAILING

"Express Mail" mailing label number: EL627465980US
Date of Deposit: September 27, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Monica M Pearson
(Typed or printed name of person mailing paper or fee)

m.p.
(Signature of person mailing paper or fee)

Sept 27, 2001
(Date signed)

Serial/Patent No.	Not Yet Assigned	Issue Date	September 27, 2001
Chemical Abstract No.			
Title: INFORMATION ON INFORMATION THROUGH BACKGROUND MODULATION IN AN INFORMATION DISPLAY			
File No.	42330P12156	Priority Initials	JHS/MSP/amp
Date Mailed	September 27, 2001	Document Due Date	22*
The following has been recorded in the U.S. Patent & Trademark Office on the date stamped below:			
<input type="checkbox"/>	Application - Rule 1.33(b) (Inventorship) - pg.1	Express Mail No	EL627465980US
<input type="checkbox"/>	Application - Rule 1.33(b) (CIP) - pg.1	Priority Date	22*
<input type="checkbox"/>	Application - Rule 1.136(b) CPA Transmittal - pg.1	Delivery Method	710.00
<input type="checkbox"/>	Application - Continuation - pg.1	Information Disclosure Statement	45.00
<input type="checkbox"/>	Application - Rule 1.33(b) (Inventorship) - pg.2	Small Entity Declaration	500.00
<input type="checkbox"/>	Application - Rule 1.33(b) (CIP) - pg.2	Check	455.30
<input type="checkbox"/>	Application - Rule 1.136(b) CPA Transmittal - pg.2	Amt.	40.00
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